

**BellSouth Telecommunications, Inc.**  
**Legal Department**  
1600 Williams Street  
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Columbia, SC 29201

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**Patrick W. Turner**  
General Counsel-South Carolina

803 401 2900  
Fax 803 254 1731

May 13, 2004

The Honorable Bruce Duke  
Executive Director  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

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COMMISSION

Re: Joint Application of BellSouth BSE, Inc. and BellSouth Long Distance, Inc. for  
Approval of Merger  
Docket No.: 2004-45-C

Dear Mr. Duke:

Enclosed for filing are the original and fifteen copies of BellSouth BSE, Inc.'s and BellSouth Long Distance, Inc.'s Motion for Expedited Ruling on Joint Application on the Basis of Verified Testimony in the above-referenced matter.

By copy of this letter, I am serving this motion on all parties of record as reflected by the attached Certificate of Service.

Sincerely,

*Patrick W. Turner*

Patrick W. Turner  
Attorney Representing BellSouth BSE, Inc. and BellSouth  
Long Distance, Inc.

PWT/nml  
Enclosure  
cc: All Parties of Record

PC Docs 538214

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PW5-17-04

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COMMISSION

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2004-45-C

IN RE:

# Joint Application of BellSouth BSE, Inc. and BellSouth Long Distance, Inc. for Approval of Merger

MOTION FOR EXPEDITED  
RULING ON JOINT  
APPLICATION ON THE  
BASIS OF VERIFIED TESTIMONY

BellSouth BSE, Inc. (“BSE”) and BellSouth Long Distance, Inc. (“BSLD”) respectfully submit this motion to the Public Service Commission of South Carolina (“Commission”). As explained below, two of the three Intervenor in this proceeding have filed letters with the Commission withdrawing their intervention, and the sole remaining Intervenor has no objection to the Commission's ruling on the Joint Application on the basis of the verified testimony on file with the Commission. BSE and BSLD, therefore, respectfully request that the Commission rule on their Joint Application at the earliest possible Agenda Session on the basis of the verified testimony (which was filed with the Commission on February 17, 2004) supporting the Joint Application.

On February 17, 2004, BSE and BSLD filed a Joint Application seeking an Order approving the merger of BSE into BSLD, including without limitation the transfer and/or merger of BSE's existing certificate of public convenience and necessity (including and subject to the Stipulation between BSE and the South Carolina Telephone Coalition) into BSLD. On the same

day, BSE and BSLD filed the verified testimony of Mario L Soto (consisting of 16 pages and 4 exhibits) with the Commission. Mr. Soto's verified testimony supports the Joint Application.

MCI WorldCom Communications, Inc. and MCI Metro Access Transmission Services, LLC (collectively "MCI") filed a Petition to Intervene on April 1, 2004. AT&T Communications of the Southern States, LLC ("AT&T") and ITC^DeltaCom Communications, Inc. ("DeltaCom") filed Petitions to Intervene on April 2, 2004. As a result of discussions among counsel to the various parties in this proceeding, MCI and AT&T have withdrawn their intervention in this docket. *See* Collective Exhibit A. While DeltaCom has not withdrawn its intervention, counsel for DeltaCom has authorized BellSouth to inform the Commission that DeltaCom remains in this proceeding for monitoring purposes and that DeltaCom has no objection to the Commission deciding the Joint Application on the basis of the verified testimony that has been filed in this proceeding.

Given that the Joint Application is supported by verified testimony, and given that the sole remaining Intervenor in this proceeding has no objection to the Commission ruling on the Joint Application on the basis of the verified testimony, BSE and BSLD respectfully request the Commission to rule on their Joint Application at the earliest possible Agenda Session on the basis of the verified testimony in the record in this proceeding.

This 13th day of May, 2003.

Respectfully submitted,



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Patrick W. Turner  
1600 Williams Street, Suite 5200  
Columbia, South Carolina 29201  
(803) 401-2900

ATTORNEY REPRESENTING BELLSOUTH  
BSE, INC. AND BELLSOUTH LONG  
DISTANCE, INC.

538206

# EXHIBIT A

WOODWARD, COTHRAN & HERNDON

EDWARD M. WOODWARD, JR.  
DARRA W. COTHRAN  
WARREN R. HERNDON, JR.

*Attorneys at Law*  
1200 MAIN STREET, SUITE 600  
POST OFFICE BOX 12399  
COLUMBIA, SOUTH CAROLINA 29211  
TELEPHONE (803) 799-9772 FACSIMILE (803) 799-3256

EDWARD M. WOODWARD, SR.  
(1921-2000)

April 26, 2004

The Honorable Bruce F. Duke  
Deputy Executive Director  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, SC 29211

Re: Joint Application of BellSouth BSE, Inc. and BellSouth Long Distance, Inc. for Approval of  
Merger  
Docket No. 2004-45-C  
Our File No. 04-7013

Dear Mr. Duke:

On April 5, 2004, MCI Worldcom Communications, Inc. and MCImetro Access Transmission Services, LLC ("MCI") filed a Petition to Intervene in the above-referenced docket.

Please accept this correspondence as MCI's request to withdraw its intervention in this matter and be removed from the docket as a party of record.

If further information is required, please do not hesitate to contact me.

Thanking you in advance, I am,

Very truly yours,

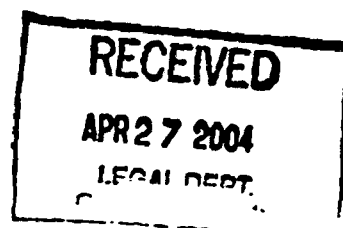
WOODWARD, COTHRAN & HERNDON

*Darra Cothran*

Darra W. Cothran

DWC/bjd  
Enclosures.

cc: F. David Butler, Esquire  
Elliott F. Elam, Jr., Esquire  
Patrick Turner, Esquire  
John J. Pringle, Jr., Esquire  
Robert E. Tyson, Jr., Esquire



# ELLIS:LAWHORNE

John J. Pringle, Jr  
Direct dial: 803/343-1270  
[jpringle@ellislawhome.com](mailto:jpringle@ellislawhome.com)

May 6, 2004

**VIA ELECTRONIC MAIL & FIRST-CLASS MAIL SERVICE**

The Honorable Bruce Duke  
Executive Director  
South Carolina Public Service Commission  
Post Office Drawer 11649  
Columbia, South Carolina 29211

RE: Joint Application of BSE, Inc. And BellSouth Long Distance, Inc. For  
Approval of Merger  
Docket No. 2004-0045-C, *Our File No. 611-10116*

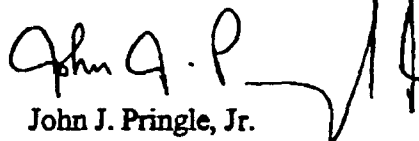
Dear Mr. Duke:

By copy of this letter, AT&T Communications of the Southern States, LLC  
("AT&T") hereby withdraws its intervention in the above-referenced docket. Please let me know  
if any other matters need attending to with regard to this request.

Please acknowledge your receipt of this document by file-stamping the copy of this  
letter enclosed, and returning it in the envelope provided.

With kind regards, I am

Very truly yours,

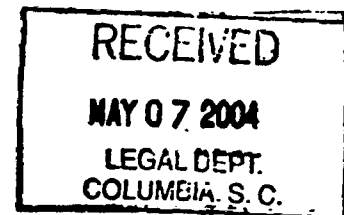
  
John J. Pringle, Jr.

JJP/cr

cc: Ms. Margaret Plasman [via electronic mail]  
all parties of record

Enclosures

C:\ATTORNEYS\JPP\WORK\DOCKET\2004-0045-C\BSE-BSD Margaret Plasman-050604.doc



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SC PUBLIC SERVICE  
COMMISSION

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND ) CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth BSE, Inc.'s and BellSouth Long Distance, Inc.'s Motion for Expedited Ruling on Joint Application on the Basis of Verified Testimony in Docket No. 2004-45-C to be served on the following this May 13, 2004:

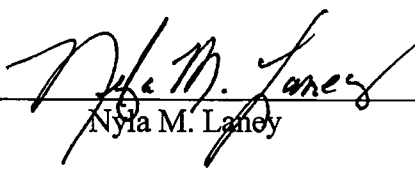
F. David Butler, Esquire  
General Counsel  
S. C. Public Service Commission  
Post Office Box 11649  
Columbia, South Carolina 29211  
(PSC Staff)  
**(Electronic Mail and US Mail)**

Darra W. Cothran, Esquire  
Woodward, Cothran & Herndon  
1200 Main Street, 6th Floor  
Post Office Box 12399  
Columbia, South Carolina 29211  
(MCI WorldCom Communications, Inc.)  
(MCI metro Access Transmission Services, LLC)  
**(Electronic Mail and US Mail)**



John J. Pringle, Jr., Esquire  
Ellis Lawhorne & Sims, P.A.  
1501 Main Street, 5<sup>th</sup> Floor  
Columbia, South Carolina 29201  
(AT&T Communications of the Southern States, LLC)  
(NuVox Communications, Inc.)  
(Xspedius)  
(NewSouth Communications, Corp.)  
**(Electronic Mail and US Mail)**

Robert E. Tyson, Jr., Esquire  
Sowell, Gray, Stepp & Laffitte, LLC  
Post Office Box 11449  
Columbia, South Carolina 29211  
ITC Delta^Com Communications, Inc.  
**(Electronic Mail and US Mail)**

  
\_\_\_\_\_  
Nyla M. Laney

PC Docs # 534573